

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT RUNDO, et al.,

Defendants.

No. CR 18-759-CJC-3

ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

TRIAL DATE: 12/12/2023

PRETRIAL

CONFERENCE: 12/04/2023

MOTIONS

HEARING: 11/16/2023

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by in this matter on February 9, 2023. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendants in a speedy trial; (ii) failure to grant the continuance

1 would be likely to make a continuation of the proceeding impossible,
2 or result in a miscarriage of justice; (iii) failure to grant the
3 continuance would unreasonably deny defendant continuity of counsel
4 and would deny defense counsel the reasonable time necessary for
5 effective preparation, taking into account the exercise of due
6 diligence; and (iv) the continuance represents a reasonable period of
7 delay as the defendants are joined for trial, the time for trial has
8 not run, and no motion for severance has been granted.

9 THEREFORE, FOR GOOD CAUSE SHOWN:

10 1. The trial in this matter is continued to **December 12, 2023**
11 **at 8:30 a.m.** The Pretrial Conference is continued to **December 4,**
12 **2023 at 9:00 a.m.**

13 2. A motion schedule is set as follows: motions to be filed by
14 October 5, 2023; oppositions to be filed by October 26, 2023; replies
15 to be filed by November 2, 2023; and any motions hearing on November
16 16, 2023.

17 3. The time period from March 28, 2023 to December 12, 2023,
18 inclusive, is excluded in computing the time within which the trial
19 must commence, pursuant to 18 U.S.C. §§ 3161(h)(6), (h)(7)(A),
20 (h)(7)(B)(i), and (B)(iv).

21 4. Nothing in this Order shall preclude a finding that other
22 provisions of the Speedy Trial Act dictate that additional time
23 periods are excluded from the period within which trial must
24 commence. Moreover, the same provisions and/or other provisions of
25 the Speedy Trial Act may in the future authorize the exclusion of

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additional time periods from the period within which trial must
commence.

IT IS SO ORDERED.

February 10, 2023

DATE



THE HONORABLE CORMAC J. CARNEY
UNITED STATES DISTRICT JUDGE

Presented by:

/s/ Maria Jhai

MARIA JHAI

Assistant United States Attorney